

Appl. No. 10/808,651
Paper dated August 29, 2007
Reply to Office Action dated May 30, 2007

Amendments to the Drawings:

The attached 2 sheet(s) of drawings reflect changes to Figure(s) 17 and replace the original sheet(s) of these Figure(s).

Attachments: 1 Replacement Sheet(s)

1 Annotated Sheet(s) Showing Changes

REMARKS

Reconsideration of the above-identified application in view of the foregoing amendments and following remarks is respectfully requested.

A. Status of the Claims and Explanation of Amendments

By this paper, the specification has been amended to change a reference to “Fig. 16” in paragraph 0003 to “Fig. 17.”

The office action objected to Figures 16 and 17 for allegedly illustrating “only that which is old.” [05/30/2007 Office Action at p. 2]. Applicant respectfully asserts that Figure 16 does not disclose “that which is old” because it shows a variation of Embodiment 1 of the invention disclosed in the originally filed application. Figure 17 is amended to include the label “Prior Art.” The amendment to Figure 17 is believed to resolve the objections to the figures. Withdrawal of the objections is respectfully requested.

Claims 1-10 were pending. By this paper, claim 1 is amended and claim 4 is cancelled without prejudice or disclaimer. Claim 1 is amended to recite “which include a preset speed and a preset position” and the elements of cancelled dependent claim 4. Accordingly, no new matter will be added to this application by entry of these amendments. Entry of these amendments is respectfully requested.

The office action rejected claims 1-4 and 7-10 under 35 U.S.C § 102(b) as allegedly being anticipated by U.S. Patent No. 5,893,651 to Sakamoto (“Sakamoto”) and rejected claims 5 and 6 under § 103(a) as allegedly being unpatentable over Sakamoto in view of U.S. Patent No. 6,035,137 to Kaneko (“Kaneko”). [05/30/2007 Office Action at pp. 3 and 6].

B. Claims 1-3 and 5-10 are Patentably Distinct from the Cited References

The rejections of claims 1-3 and 5-10 are respectfully traversed. As explained more fully below, the requirements for such rejections are not met. In particular, the references do not teach, disclose or suggest the “controller” of Applicant’s claim 1.

Applicant’s claim 1 recites:

1. A drive controlling apparatus for controlling a drive of a plurality of optical adjusting members provided on an optical apparatus, comprising:

a memory storing preset drive information of each of the optical adjusting members which include a preset speed and a preset position;

a controller performing a preset drive control for controlling the drive of each of the optical adjusting members on the basis of the preset drive information, the controller performing the preset drive control so as to include a state in which the plurality of the optical adjusting members are simultaneously driven; and

a selection member being operated for selecting a set condition of drive speeds of the plurality of optical adjusting members out of a plurality of set conditions,

wherein the controller sets the drive speeds in the preset drive control in accordance with the set condition selected with the selection member;

wherein one of the plurality of set conditions is to set the drive speed of a first optical adjusting member out of the plurality of optical adjusting members to the preset speed stored in the memory, and to set the drive speed of other optical adjusting members such that the drive of the plurality of optical adjusting members up to the preset position stored in the memory is substantially simultaneously completed.

The office action asserts that Sakamoto at column 3, line 52, to column 4, line 3, discloses the “controller” of Applicant’s claim 1. [05/30/2007 Office Action at pp. 3-4]. The cited text is a portion of Sakamoto’s specification and reads as follows:

The control section 142 stores the aforementioned zoom position voltage data and the focus position voltage data in the position data storage section 149 according to the operation of the position store key 141d. When the preset key 141e is operated so as to request for preset which controls the zoom position adjusting mechanism and the focus position adjusting mechanism of the camera unit 110 to be positioned at the stored zoom position and the stored focus position, the control section 142 reads out the zoom position voltage data and the focus position voltage data from the position data storage section 149 and changes the voltage values of the zoom DC motor drive voltage signal 140a and the focus DC motor drive voltage signal 140b, so that zoom position voltage data and focus position voltage data are respectively identical to the zoom position voltage data and the focus position voltage data which have been read out from the position data storage section 149, thus adjusting the zoom position and the focus position to be set at the preset zoom position and the preset focus position.

[Sakamoto, col. 3, line 52, to col. 4, line 3].

The above-referenced text is directed to a control section of a camera control unit of a conventional image pickup system. [Sakamoto, col. 1, lines 22-28, col. 2, lines 13-26]. In addition to a control section, the camera control unit also includes an operation section, which works in conjunction with the control section to the position of the focus, zoom or iris of the camera. [Sakamoto, col. 2, lines 13-14 and 22-25]. The operation section of the camera control unit comprises “position adjustment knob[s]” that allow a user to adjust the position of the zoom, focus, iris and the like, and a position store key and preset key. [Sakamoto, col. 2, lines 21-27].

The “position adjustment knobs” and the keys are connected to the control section of the camera. [Sakamoto, col. 2, lines 26-27]. A user of the camera may store voltage data corresponding to the positions of the zoom, focus and iris in a position data storage section by operating the position store key. [Sakamoto, col. 3, lines 52-55]. The polarity of the voltage data corresponds to the direction the zoom, focus or iris drive motors should rotate, and the speed of the drive motor is directly proportional to the increases in voltage increases. [Sakamoto, col. 3, lines 21-26]. When the preset key is operated, the control section reads out the zoom and focus position voltage data currently stored in the data storage section and drives the zoom and focus motors to adjust the zoom and focus positions to the preset data. [Sakamoto, col. 3, line 55, to col. 4, line 3].

However, the referenced text does not state that the control section sets the drive speeds of the optical adjusting members or that the optical adjusting members are simultaneously driven. Nor does the rest of Sakamoto mention anything concerning the order the focus, zoom or iris drive motors are driven, other than that the control section drives them after the preset key is operated. Thus, Sakamoto does not teach, disclose or suggest a “[control section] performing the preset drive control so as to include a state in which the plurality of the optical adjusting members are simultaneously driven.” Therefore, Sakamoto does not teach, disclose or suggest “a controller performing a preset drive control for controlling the drive of each of the optical adjusting members on the basis of the preset drive information, the controller performing the preset drive control so as to include a state in which the plurality of the optical adjusting members are simultaneously driven” as recited in Applicant’s claim 1.

Furthermore, Sakamoto does not teach, disclose or suggest that “one of the plurality of set conditions is to set the drive speed of a first optical adjusting member out of the plurality

of optical adjusting members to the preset speed stored in the memory, and to set the drive speed of other optical adjusting members such that the drive of the plurality of optical adjusting members up to the preset position stored in the memory is substantially simultaneously completed” as recited in Applicant’s claim 1.

The office action does not assert that Kaneko teaches, discloses or suggests the “controller” of Applicant’s claim 1. Kaneko is directed toward “a taking lens drive unit which continues the zooming with the seesaw switch even if the quick zoom switch is operated during the zooming with the seesaw switch, and performs the quick zooming at a high rate regardless of the setting of the maximum zooming rate.” [Kaneko, col. 1, lines 54-60]. In other words, when the zoom seesaw switch is depressed, it takes priority over other zooming operations, such as “quick zooming.” [See Kaneko, col. 7, lines 25-27]. However, Kaneko does not mention how the zoom operations are performed in relation to other optical members, such as the focus and iris. Hence, Kaneko does not teach, disclose or suggest that the focus, zoom and iris are simultaneously driven. Thus, Kaneko does not teach, disclose or suggest “a controller performing a preset drive control for controlling the drive of each of the optical adjusting members on the basis of the preset drive information, the controller performing the preset drive control so as to include a state in which the plurality of the optical adjusting members are simultaneously driven.” Therefore, Applicant’s own review of Kaneko confirms that it does not teach, disclose or suggest the “controller” of Applicant’s claim 1.

Accordingly, as Applicant cannot find the “controller” of claim 1 in Sakamoto or Kaneko (taken singly or in combination), at least independent claim 1 and its dependent claims 2, 3 and 5-10 are respectfully asserted to be in condition for allowance.

Applicant has chosen in the interest of expediting prosecution of this patent application to distinguish the cited documents from the pending claims as set forth above. These statements should not be regarded in any way as admissions that the cited documents are, in fact, prior art. Likewise, Applicant has chosen not to swear behind the documents cited by the office action or to otherwise submit evidence to traverse the rejection at this time. Applicant, however, reserves the right, as provided by 37 C.F.R. §§ 1.131 and 1.132, to do so in the future as appropriate. Finally, Applicant has not specifically addressed the rejections of the dependent claims. Applicant respectfully submits that the independent claims, from which they depend, are in condition for allowance as set forth above. Accordingly, the dependent claims also are in condition for allowance. Applicant, however, reserves the right to address such rejections of the dependent claims in the future as appropriate.

CONCLUSION

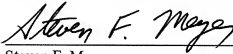
For the above-stated reasons, this application is respectfully asserted to be in condition for allowance. An early and favorable examination on the merits is requested. In the event that a telephone conference would facilitate the examination of this application in any way, the Examiner is invited to contact the undersigned at the number provided.

THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE ANY ADDITIONAL FEES WHICH MAY BE REQUIRED FOR THE TIMELY CONSIDERATION OF THIS AMENDMENT UNDER 37 C.F.R. §§ 1.16 AND 1.17, OR CREDIT ANY OVERPAYMENT TO DEPOSIT ACCOUNT NO. 13-4500, ORDER NO. 1232-5356.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: August 29, 2007

By:



Steven F. Meyer
Registration No. 35,613

Correspondence Address:

MORGAN & FINNEGAN, L.L.P.
3 World Financial Center
New York, NY 10281-2101
(212) 415-8700 Telephone
(212) 415-8701 Facsimile